

**ORIGINAL NEW APPLICATION**



**MOHAWK UTILITY COMPANY, INC.**

36140 E. Antelope Dr. / PO Box 1194 Wellton, AZ 85356  
(928)785-3422 / (928) 785-4182 [fax]  
Email address: mohawkutilities@aol.com

**January 15, 2006**

W-02341A-06-0040

**Docket Control  
Arizona Corporation Commission  
1200 W. Washington St.  
Phoenix, AZ**

**RE: Docket # W-02341A (U-2341)**

**Attached is an application by "Mohawk Utility Company, Inc." for "Extension of our current CC&N". The purpose of this application is to extend our Certificate of Convenience & Necessity boundaries so that we can distribute water to potential/additional customers located outside of our current boundaries and to include current customers that are not within the current boundaries.**

  
**Robert Chris Rockwell**

AZ CORP COMMISSION  
DOCUMENT CONTROL

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# ARIZONA CORPORATION COMMISSION

## APPLICATION FOR AN EXTENSION OF CERTIFICATE OF CONVENIENCE AND NECESSITY

### WATER AND/OR SEWER

A. The name, address and telephone number of the Applicant is:

MOHAWK UTILITY COMPANY, INC  
36140 E Antelope Dr.

PO Box 1194

Wellton, AZ 85356

(928) 785-3422

B. The name, address and telephone number of management contact is:

Robert Chris Rockwell

(same address as above)

(928) 785-3422

(928) 580-7630 - cell #

C. List the name, address and telephone number of the operator certified by the Arizona Department  
of Environmental Quality:

Robert Chris Rockwell

(all info same as above - B)

D. List the name, address and telephone number of the attorney for the Applicant:

None

E. Attach the following documents that apply to you:

1. Certificate of Good Standing (if corporation)
  2. Corporate Resolution Authorizing this application (if required by the corporation's Articles of Incorporation)
- F. Attach a legal description of the area requested by either **CADASTRAL** (quarter section description) or **Metes and Bounds** survey. References to parcels and docket numbers will not be accepted.
- G. Attach a detailed map using the form provided as attachment B. Shade and outline the area requested. Also indicate the present certificated area by using different colors.
- H. Attach a current balance sheet and profit and loss statement.
- I. Provide the following information:

1. Indicate the estimated number of customers, by class, to be served in the new area in each of the next five years:

**Residential:**

First Year 25 Second Year 50 Third Year 125 Fourth Year 150  
Fifth Year 200

**Commercial:**

First Year \_\_\_\_\_ Second Year \_\_\_\_\_ Third Year \_\_\_\_\_ Fourth Year \_\_\_\_\_  
Fifth Year \_\_\_\_\_

**Industrial:**

First Year \_\_\_\_\_ Second Year \_\_\_\_\_ Third Year \_\_\_\_\_ Fourth Year \_\_\_\_\_  
Fifth Year \_\_\_\_\_

**Irrigation:**

First Year \_\_\_\_\_ Second Year \_\_\_\_\_ Third Year \_\_\_\_\_ Fourth Year \_\_\_\_\_  
Fifth Year \_\_\_\_\_

Other: (specify)

First Year \_\_\_\_\_ Second Year \_\_\_\_\_ Third Year \_\_\_\_\_ Fourth Year \_\_\_\_\_

Fifth Year \_\_\_\_\_

2. **(WATER ONLY)** Indicate the projected annual water consumption, in gallons, for each of the customer classes in the new area for each of the next five years:

**Residential:**

First Year 17M Second Year 19M Third Year 25.5M

Fourth Year 28M Fifth Year 32M

**Commercial:**

First Year \_\_\_\_\_ Second Year \_\_\_\_\_ Third Year \_\_\_\_\_

Fourth Year \_\_\_\_\_ Fifth Year \_\_\_\_\_

**Industrial:**

First Year \_\_\_\_\_ Second Year \_\_\_\_\_ Third Year \_\_\_\_\_

Fourth Year \_\_\_\_\_ Fifth Year \_\_\_\_\_

**Irrigation:**

First Year \_\_\_\_\_ Second Year \_\_\_\_\_ Third Year \_\_\_\_\_

Fourth Year \_\_\_\_\_ Fifth Year \_\_\_\_\_

3. Indicate the total estimated annual operating revenue from the new area for each of the next five years:

First Year 15K Second Year 20K Third Year 45K

Fourth Year 55K Fifth Year 75K

- **Complete Attachment "D" (Water Use Data Sheet) for the past 13 months**





Other Water Sources in Gallons per Minute →	<u>GPM</u> 80
Fire Hydrants on System →	<del>Yes</del> <b>No</b>
Total Water Pumped Last 13 Months (Gallons in Thousands) →	15,758.7

4. Indicate the total estimated annual operating expenses attributable to the new area for each of the next five years:

First Year 10K Second Year 15K Third Year 40K

Fourth Year 50K Fifth Year 70K

J. Total estimated cost to construct utility facilities to serve customers in the requested area:

Currently not needed

K. Explain method of financing utility facilities (see paragraph 8 of instructions)

N/A

L. Estimated starting and completion date of construction of utility facilities:

Starting date n/a Completion date n/a

M. Attach the following permits:

1. Franchise from either the City or County for the area requested.
  2. Arizona Department of Environmental Quality or designee's approval to construct facilities.
  3. Arizona State Land Department approval. (If you are including any State land in your requested area this approval is needed.)
  4. U.S. Forest Service approval. (If you are including any U.S. Forest Service land in your requested area this approval is needed.)
  5. (WATER ONLY) If the area requested is within an Active Management Area, attach a copy of, either the utility's Designation of an Assured Water Supply, or the developer's Certificate of 100 Year Assured Water Supply issued by the Arizona Department of Water Resources.
- If the area requested is outside an Active Management Area, attach the developer's Adequacy Statement issued by the Arizona Department of Water Resources if applied for by the developer.

- If the area requested is outside an Active Management Area and the developer does not obtain an Adequacy Statement, provide sufficient detailed information to prove that adequate water exists to provide water to the area requested.

Robert Chris Rockwell

(Signature of Authorized Representative)

Robert Chris Rockwell

(Print or Type Name Here)

Owner / President

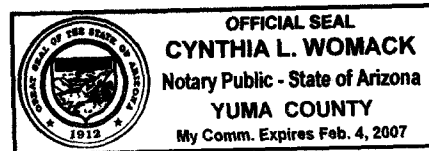
(Title)

SUBSCRIBED AND SWORN to before me this 19 day of January, 2006

Cynthia L. Womack


NOTARY PUBLIC

My Commission Expires Feb. 4, 2007







**Our current service area is as follows:**

(Denoted in ) -- SW  $\frac{1}{4}$  of Section 26 and a portion of the NW  $\frac{1}{4}$  of Section 35 (the portion lying north of the north right-of-way line of US Highway 80) in T8S, R17W.

**Our requested extension area is as follows:**

(Denoted in ) -- S $\frac{1}{2}$  of SW $\frac{1}{4}$  of Section 27; W $\frac{1}{2}$  of Section 35 except the S $\frac{1}{2}$  of the SW $\frac{1}{4}$ ; SE $\frac{1}{4}$  of Section 34; S $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section 28; S $\frac{1}{2}$  and NW $\frac{1}{4}$  of Section 27; S $\frac{1}{2}$  and NW $\frac{1}{4}$  of Section 26; W $\frac{1}{2}$  of Section 35 except the S $\frac{1}{2}$  of the SW $\frac{1}{4}$ ; SE $\frac{1}{4}$  and e $\frac{1}{2}$  of the NE $\frac{1}{4}$  of Section 34; all in T8S, R17W, Gila and Salt River Meridian, Yuma County, Arizona.

**Our franchise area is as follows:**

(Denoted in ) -- S $\frac{1}{2}$  of SW $\frac{1}{4}$  of Section 27; SW $\frac{1}{4}$  of Section 26; W $\frac{1}{2}$  of Section 35 except the S $\frac{1}{2}$  of the SW $\frac{1}{4}$ ; SE $\frac{1}{4}$  of Section 34; S $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section 28; S $\frac{1}{2}$  and NW $\frac{1}{4}$  of Section 27; S $\frac{1}{2}$  and NW $\frac{1}{4}$  of Section 26; W $\frac{1}{2}$  of Section 35 except the S $\frac{1}{2}$  of the SW $\frac{1}{4}$ ; SE $\frac{1}{4}$  and e $\frac{1}{2}$  of the NE $\frac{1}{4}$  of Section 34; all in T8S, R17W, Gila and Salt River Meridian, Yuma County, Arizona.



# ATTACHMENT "B"

Yuma		T8S	R17W
COUNTY	SECTION	TOWNSHIP	RANGE

6	5	4	3	2	1
7	8	9	1 0	1 1	1 2
1 8	1 7	1 6	1 5	1 4	1 3
1 9	2 0	2 1	2 2	2 3	2 4
3 0	2 9	2 8	2 7	2 6	2 5
3 1	3 2	3 3	3 4	3 5	3 6

Type or Print Description Here:

see attached description  
for "current service area"



# ATTACHMENT "B"

Yuma		T8S	R17W
COUNTY	SECTION	TOWNSHIP	RANGE

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

Type or Print Description Here:

see attached description for  
"requested extension area"



# ATTACHMENT "B"

Yuma		T8S	R17W
COUNTY	SECTION	TOWNSHIP	RANGE

6	5	4	3	2	1
7	8	9	1 0	1 1	1 2
1 8	1 7	1 6	1 5	1 4	1 3
1 9	2 0	2 1	2 2	2 3	2 4
3 0	2 9	2 8	2 7	2 6	2 5
3 1	3 2	3 3	3 4	3 5	3 6

Type or Print Description Here:

see attached description  
for current "franchise area"



# STATE OF ARIZONA



## Office of the CORPORATION COMMISSION

### CERTIFICATE OF GOOD STANDING

To all to whom these presents shall come, greeting:

I, Brian C. McNeil, Executive Secretary of the Arizona Corporation Commission, do hereby certify that

#### \*\*\*MOHAWK UTILITY COMPANY\*\*\*

a domestic corporation organized under the laws of the State of Arizona, did incorporate on April 22, 1986.

I further certify that according to the records of the Arizona Corporation Commission, as of the date set forth hereunder, the said corporation is not administratively dissolved for failure to comply with the provisions of the Arizona Business Corporation Act; that its most recent Annual Report, subject to the provisions of A.R.S. sections 10-122, 10-123, 10-125 & 10-1622, has been delivered to the Arizona Corporation Commission for filing; and that the said corporation has not filed Articles of Dissolution as of the date of this certificate.

This certificate relates only to the legal existence of the above named entity as of the date issued. This certificate is not to be construed as an endorsement, recommendation, or notice of approval of the entity's condition or business activities and practices.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Arizona Corporation Commission. Done at Phoenix, the Capital, this 14th Day of July, 2005, A. D.



  
EXECUTIVE SECRETARY

BY: 



## YUMA COUNTY BOARD OF SUPERVISORS

### RESOLUTION NO. 05-71

A RESOLUTION GRANTING A PUBLIC SERVICE FRANCHISE TO THE MOHAWK UTILITY COMPANY Inc., TO DISTRIBUTE WATER FOR DOMESTIC AND COMMERCIAL PURPOSES.

**WHEREAS:** The Mohawk Utility Company, Inc. currently holds a County Franchise to provide water for domestic purposes and commercial consumers, in that portion of Yuma County described as:

S $\frac{1}{2}$  of SW $\frac{1}{4}$  of Sec 27; SW $\frac{1}{4}$  of Sec. 26; W $\frac{1}{2}$  of Sec. 35 except the S $\frac{1}{2}$  of the SW $\frac{1}{4}$ ; SE $\frac{1}{4}$  of Sec 34; all in T8S, R17W, Gila and Salt River Meridian, Yuma County, Arizona.

**WHEREAS:** The Mohawk Utility Company, Inc. has made an application to extend said Franchise to hereinafter provide water for domestic purposes and commercial consumers to that portion of Yuma County described as:

S $\frac{1}{2}$  of SE $\frac{1}{4}$  of Sec.28; S $\frac{1}{2}$  and NW $\frac{1}{4}$  of Sec 27; S $\frac{1}{2}$  and NW $\frac{1}{4}$  of Sec. 26; W $\frac{1}{2}$  of Sec. 35 except the S $\frac{1}{2}$  of the SW $\frac{1}{4}$ ; SE $\frac{1}{4}$  and the E $\frac{1}{2}$  of the NE $\frac{1}{4}$  of Sec 34; all in T8S, R17W, Gila and Salt River Meridian, Yuma County, Arizona.

**WHEREAS:** This Board has provided the notice required by A.R.S. § 40-283(E) of its intention to grant this franchise;

**WHEREAS:** This Board finds that the granting of the proposed franchise is in the best interest of the County;

**NOW, THEREFORE, BE IT RESOLVED,** the Yuma County Board of Supervisors does hereby grant a franchise to the Mohawk Utility Company, Inc., to provide water for domestic purposes and commercial consumers in the expanded service area described above.


**FURTHER, BE IT RESOLVED,** that said franchise includes a license for the use the public highways, roads, alleys and thoroughfares of said franchise territory lying outside the limits of any incorporated city or town, except State Highways, in pursuit of said franchise.

**PROVIDED THAT** this franchise and license, issued to the Mohawk Utility Company, Inc., referred to hereinafter as the franchisee, is granted subject to following six (6) conditions:

1. The franchisee shall bear all expenses relating to its use of Yuma County's public roads, highways, rights-of-way, or public easements, and shall bear all expenses, including damage and compensation for any alteration of the direction, surface, grade or alignment of a county road, made for the purpose of this franchise.

2. In the future, the Board of Supervisors may impose restrictions and limitations upon or make other changes regarding the use of any county road, highway, right-of-way, or other public way of Yuma County as such Board deems best for the public safety and welfare. Should any such restriction, limitation, or change occasion a need to relocate equipment or property of franchisee, the franchisee shall relocate at its own expense any such equipment or property.
3. The franchisee shall comply with all federal, state, and local law relating to the operation of its business within Yuma County and shall obtain from the County of Yuma any and all permits or approvals required of such franchisee for the construction, operation, or maintenance of any of its facilities under this franchise. In particular, the franchisee shall obtain a "Permit to Use County Right Of Way" from the County Engineer prior to any work, rework, or maintenance activities within the County public right of way.
4. As provided by ARS Section 40-283(B), the Board of Supervisors may at any time hereafter, impose restrictions and limitations upon the use of the public ways, as the Board deems best for the public safety or welfare.
5. The franchisee shall hold harmless and free of all liability the County of Yuma from any and all claims or suits against the County of Yuma relating in any manner to the franchisee's use of said public ways under this franchise and license.
6. This franchise and license shall continue for a term of twenty-five (25) years from the date of the granting of the same, except that the Board of Supervisors may revoke the same at any time if it determines that such revocation is in the best interest of the County.

Adopted this 7<sup>th</sup> day of November, 2005

  
CASEY PROCHASKA, Chairman  
Yuma County Board of Supervisors  
Yuma County, Arizona

ATTEST:

  
SUE STALLWORTH  
Clerk of the Board

Approved as to form:

  
Edward P. Feheley  
Deputy County Attorney